G. M. 1932
8 & 32
Sch 4

Rules for the Submission of Memorials by public Servants.

App. F. IX-4

Previous References

1936 (G.I)

File No. 8-32

Serial Nos. 4

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. /

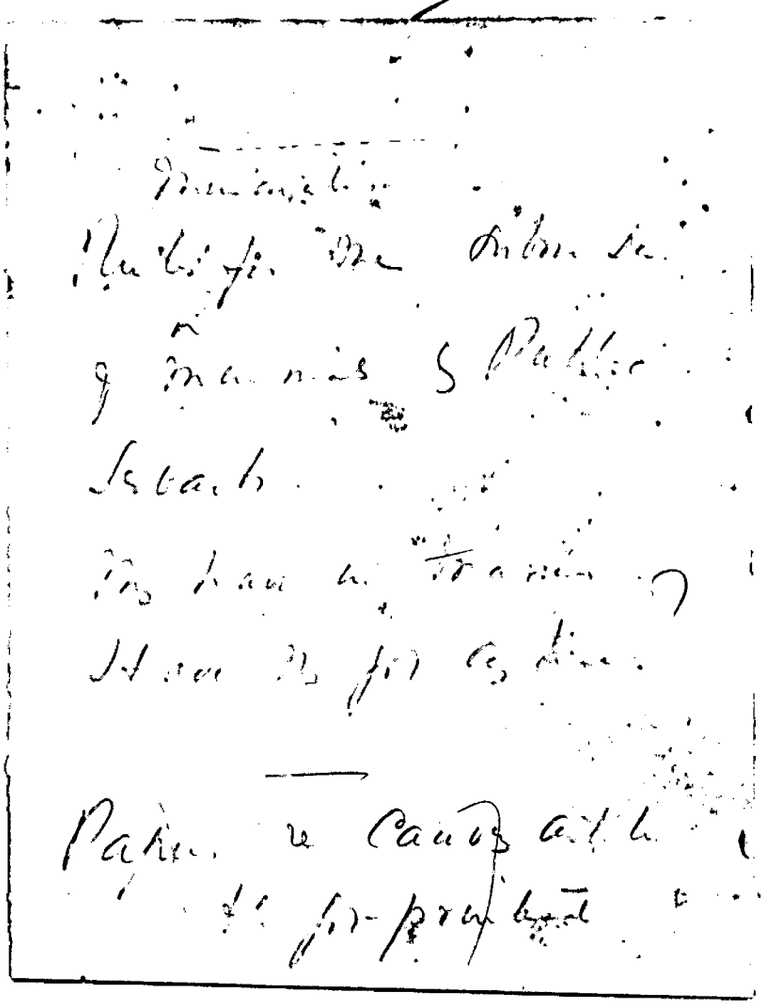
Part B for July 33.

SUBJECT.

Rules for the Submission of memorials by Public Servants.

WD 0418—GPB—22,500—29-8-36

Ques B-32 Sht 4



Extracts from the Manual of
General Circulars & Standing orders
and from the Madras Board Orders
put up.

There seem to be no elaborate
rules on the subject in madras

Submd
CSR
20/10/28

A. The rules in British India are
very much more elaborate.
Get a copy of these from Govt Press
Madras.
Civil & Public Services
Central Rule in Br. India

Serial No.

A draft letter to the Supdt. Govt. Press ~~Calt~~ Madras calling for a Copy of the Public Servants' Conduct Rules is put up.

The Librarian ~~that~~ says that there is no ~~of~~ Copy of the Public Servants' Conduct Rules either of the Govt of India or of Madras available in the G.R.S. Library — beyond what is contained in the Board of Revenue Standing orders. (A Copy of the Govt. of India Rules ~~is~~ ~~appe~~ is expected to be available with Sir C. Todhunter and will if approved be obtained from the office of the Privale Secy. to H.H.)

Submd
CGA
25/10/28.

OHIEF SE
25 OCT. 192

No 2145 Dt 28.10.28

To the Supdt. G.P.
Madras.

Requests to be supplied with a copy of The govt servants Conduct rules per V.P.P

A copy of the Govt. of India ~~Co~~ Rules obtained from the Privale Secy's office is put up (It does not contain any information on this point,

Ask the Supdt G-P Madras

OHIEF SECRETARY
29 OCT. 1928

Submd
CGA
29/10

NOTE—Contn. sheet

WD/021—GPB—30,000—21-8-28

General and Revenue Secretariat | File No. | App F. III—2] of 192 C.B-173

Serial No.

to send a copy of Rules relating to the submission of Memorials to the G. G. & Secy of State

MCC
.29/10

Draft put up

CGB 30/10

Issue
MCC
30/10

CHIEF SECRETARY
30 OCT. 1928

To. The Superintendent
Government Press, Madras
No. 2198/C.S. Dt 31/10/28

Requests to send by V.P. Parcel a copy of the Rules relating to the submission of Memorials to the Govt. of India & the Secretary of State of India

Letter No 911/D.B. Dt 1.11.28
from the Supdt. G.P. Madras.

States that Sanction of Govt is necy for supplying a copy of the Conduct Rules, as it is not a priced publication & is meant for official use only—

We had also written for a copy of the Memorial Rules. If approved, a Cheque thereto will be enclosed & then the Residency will be addressed, if necessary in re: to copies of both the Govt Servant Conduct Rules & the Memorial Rules as well.

Submit for orders.

VS
5/11

MCC
7/11

CHIEF SECRETARY
5 NOV. 1928

NOTE—Contn. sheet

B39
1520

App. F. III—2]

General and Revenue Secretariat.

File No. of 192 .

Serial No.

From the Supdt. Govt. Press
Madras.

No. 953/DB d. 6.11.28

States that copies of the Rules for submission of Memorials to the Govt. of India & Secretary of State are out of Stock.

A draft to the Residency is submitted.

(The Govt. of India have recently published certain amended Rules re: submission of Memorials, vide cutting from the Statesman put up. But this only provides for withholding from Subm^n of memorials which are disloyal etc. They do not seem to deal with the notice to be taken of the Signatories, which may perhaps be dealt with in Govt. Servants' Conduct Rules)

Cyl 11/11/28

Issued 13/11

To The Secretary to the Hon'ble the Resident in Mysore

Pol No. 517 Dy 15/11/28

Requests to obtain the following publication
(1) Rules & orders of the Govt. of India for the conduct of Govt. servants.

NOTE—Contn. Sheet.

General and Revenue Secretariat. CB File No. of 192

Serial No.

(2) Similar Rules of the Madras & Bombay Governments

(3) Rules for the submission of memorials to the Governor General & the Secretary of State.

Sub

Rec'd from Govt.
DN.
21/12/28

Letter no 1135/238-1928/Govt. 3 dt 9.12.28 received from the Secy. to the Resident in Mysore which is in reply to letter no. Pol.577/C.B dt 15-11-28, is put up. (From un-linked file.)

Letter no 11352 dt 9.12.1928 from the Secy to the Resident forwards a copy each of the instructions for submn of memorials to the Governor & the Secy of State for India.

Submitted for perusal. As re: the copies of Conduct rules, it is stated, that 22/12. the Manager of the Central Publication Branch, has been addressed,

Seen. The file of the P.S to H.H the Maharaja returned

16/1

CHIEF SECRETARY.
22 DEC. 1928

The file was sent to the manager of the Palace Secy's office vide letter no 3194/C.B. of the 16th inst.

NOTE—Contn. Sheet.

General and Revenue Secretariat | C.S. File No. 2664 | of 192

Serial No.

D 2664
C.S.

Letter no 489 Dated 15-1-29
from the Secy to the Resident
Forwd a copy of a letter dt 3.1.29
from the govt of Bombay in re: to
the supply of a copy of the Conduct rules.
It is stated that govt of Bombay
have no rules of their own but the
Conduct rules issued by the Govt of
India are applicable to them also.

17/1

CENTRAL LIBRARY
18 JAN. 1929

17/1

From the Secy to the Resident
no. 1118/238 dt. 1.2.29
Forwards a copy of the Govt. of
India Govt. Servants' Conduct Rules.

The following publications have been
obtained :—

(i) notfns. dt 21.6.1924 re: instructions
for submn of petitions to the
Governor-General & Secy of State
(ii) Govt. Servants' Conduct Rules
of Govt. of India
(iii) & Madras Govt. Servants' Conduct
Rules
(this incorporates ii also).

The information was collected ~~the~~ with
reference to the Dewan's minute on page 1.

NOTE—Contn. sheet

WD 021—GPB—30,000—21-8-28

General and Revenue Secretariat | File No. 876/9 of 192

Serial No.

Re: submission of memorials by Public Servants, kind reference is invited to Section II of the Rules for Submn of memorials to Governor General and Rule 20 of the Government Servants' Conduct Rules. Reference is also invited to a recent Subsidiary Rule (No. 7) issued by the Madras Govt. in the matter of govt. servants taking part in organizations of non-official meetings at which govt. action is likely to be criticised.

A

(Page 16) W.

Page 20 in book H. 29.

Submd
CPR 16/2/29

Please put up Summary of discussion on this subject at the last meeting of L.C

CHIEF SECRETARY 16 FEB. 1929

To The Supdt. L.C. & RA
with Compts for kindly putting up an extract

CPR 18/2

18/2 18/2/29

Subdi. An Extract is putup.
GNR 19/2

OFFICE OF THE SECRETARY 19 FEB. 1929 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Submd. for perusal before returning the file.
19/2

SPR 19/2

Supdt., C.B., with compts.

SPR 19/2 The ~~Madras~~ Govt. of India Rule

NOTE—Contn. sheet

WD 021—GPB—30,000—21-8-28

Serial No.

of October 1928 referred to in Mr. D.V. Gundappa's Speech are also put up (But these do not seem to clear the points he refers to, viz. the limitations subject to which a Govt. Servant may exercise his right of petition as a general citizen.)

Submd
Cpl
21/2/29

22 FEB. 1929

There are three points in respect of which the sufficiency of the existing rules may be considered:--

(i) Submission of memorials by Govt. servants in respect of their official position and prospects.

(ii) Submission of memorials by Govt. servants on matters connected with general public welfare.

(iii) Submission of memorials to His Highness the Maharaja by private citizens.

As regards the first point, the existing rules are quite clear and full. According to the instructions contained in paragraph 87 of the Manual of General Circulars and Standing Orders, petitions from persons in the service of Govt. should be forwarded through their official

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. | File No. of 192 .

Serial No.

superiors. Paragraph 295 of the same Manual lays down in further detail the procedure to be adopted by Govt. servants wishing to submit a memorial to Government. These rules obviously apply to memorials addressed to His Highness the Maharaja also, and require no amplification.

As regards the second point, there are no specific rules. Govt. servants have little or no occasion to approach His Highness the Maharaja direct in matters of general public interest. There are enough ~~to~~ other people to move in such matters and no Govt. servants, excepting the school masters, who figured prominently in the recent events have felt aggrieved, because they cannot post as public sympathisers and submit memorials to His Highness on matters in which they have no direct personal concern. Besides, it is not a question merely of submitting memorials to His Highness, but of making them a vehicle for disloyal sentiments. It is an axiomatic rule of conduct that no Govt. servant (whether in active service or retired) can with impunity indulge in such sentiments and it might be well to lay this down emphatically by enacting a rule similar to the local rule of the Madras Govt quoted below:—

"Seditious propagandism or the expression of disloyal sentiments by a Govt. servant will be regarded as sufficient ground for dispensing with his services. Such conduct in the case of a Govt. pensioner will be dealt with under Art.351 of the Civil Service Regulations."

This corresponds to Art.238 of the M.S.R.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

File No. of 192 .

Serial No.

With regard to the third point mentioned above, experience shows that the absence of any instructions in regard to the submission of petitions to His Highness by private people is not conducive to expeditious business. Applications for land, which should ordinarily be presented to the Amildar, applications for appointments in the gift of subordinate officers, and applications for pecuniary assistance, obviously without any justification, form the bulk of the petitions that are posted to the address of His Highness the Maharaja. Government cannot do any thing with these petitions beyond forwarding them to the officers concerned and the petitioners are not in the least benefitted by adopting this round about procedure, instead of approaching the authorities immediately concerned.

It is a well recognised principle that petitions not addressed to the lowest authorities competent to grant the relief applied for should be returned to the petitioner. This general principle is amplified in the rules regarding the submission of petitions to ~~the~~ His Majesty the King Emperor, to the Secretary of State and to the Governor-General in Council. All petitions addressed to these authorities are to be forwarded through the Local Government, who have power to

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

Gen 7552.

3315

App. F. III—2]

General and Revenue Secretariat.

File No. of 1928-29

DEWAN'S OFFICE.
11 APR 1929
No. 4600

Serial No.

withhold petitions in certain cases, or forward them to the Governor-General or to the Secretary of State with a concise statement of the material facts and an expression of opinion. This procedur enables the higher authorities to deal expeditious ly with the petitions and at the same time relieve them of the trouble of having to deal with a mass of manifestly untenable or improper representatior

If, after ascertaining His Highness' wishes in the matter, it is decided that a set of rules should be framed in regard to the submission of memorials to His Highness, draft rules may be prepared on the model of instructions laid down regarding the submission of petitions to the Governor-General in Council and to the Secretary of State for India.

10767/8/29

Flag "M"

Hon Member ✓
Dewan ✓
Mr Gowsey
I agree with the Chief Secy. His decision that separate rules be framed & published on the lines indicated in the above note as promised at the last session of the Legislative Council

RR 8/4/29

12-4-29

RR 12/4/29

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

9-4-29

RR 9/4

Serial No.

do

D7674.
This is under scrutiny. AA 19/4

D.S.N. is submitted for approval or other orders.
The file re the revision of the Rules for the Conduct of Public Servants has been separately submitted to-day.

KP 18/4 (Chief Secy) AA 19/4

CHIEF SECRETARY. 20 APR. 1929

Please see my Note 20/4/29.

Please amplify the D.S.N as indicated in the draft.

AA 20/4

Amplified D.S.N is subd

KP 20/4 (Chief Secy) AA 22/4

Secret Branch

CHIEF SECRETARY. 22 APR. 1929

22/4/29

Gen. 8-32-(1+2)

This file was linked to the G.I. file relating to Public Servants' Conduct Rules. A copy of G.O. issued in the matter is kept in the file and this may be returned to Com. Hy. when it is req[illegible] Confidential Hy. with Comp[illegible] cases

CB 13/6

All papers CB Record file Return file Notes B 31/7

These papers may also be Recorded in G.O. along with the other papers. It is better all the papers are in one place.

CB 31/7/33

Submit G.O. with corrn

NOTE.—Cover sheet

WD 020 GPB 30,000—21-8-28

Draft Submission Note.

Subject:- Rules for the submission of memorials by public servants.

That this Council recommends to the Government of His Highness the Maharaja that they be pleased to frame and publish suitable instructions in clear and precise terms regarding the form and the manner in which subjects of His Highness the Maharaja who happen to be in Government service may submit memorials to His Highness on matters connected with public welfare in which they may be interested as citizens but which are not directly connected with their official position and prospects".

At the last Session of the Legislative Council the marginally noted resolution on the above subject was moved by Mr. D.V. Gundappa and accepted by Government after discussion.

The Memorials submitted to His Highness the Maharaja are likely to be of the following classes:--

(1) Memorials by Government servants in respect of their official position and prospects;

(2) Memorials by Government servants on matters connected with general public welfare; and

(3) Memorials by private citizens

We have got clear rules in respect of memorials of class (1) and they require no amplification. There are no rules in respect of (2). Nor does it seem necessary to have specific rules therefor. Government officials have little or no opportunity to approach His Highness in matters of public interest as there are ~~enough of~~ other people to do it. But sometimes it so happens that disloyal sentiments are given expression to in petitions by Government servants and they should be discouraged from identifying themselves in such activities. With this end in view the following rule will

exists in Madras will be incorporated in our rules for the Conduct of Public Servants which are now under revision.

"Seditious propagandism or the expression of disloyal sentiments by a Government servant will be regarded as sufficient ground for dispensing with his services.

Such conduct in the case of a Government pensioner will be dealt with unde Article 238 of the M.S.R."

In regard to (3) there are no rules governing the submission of such memoria Experience has shown that absence of suc instructions is not conducive to expeditious business. The bulk of the petitio generally submitted to His Highness the Maharaja deal with applications for land applications for appointments in the gif of subordinate officers and applications for pecuniary assistance. There is no justification for such petitions being addressed direct to His Highness the Maharaja instead of being sent to the subordinate authority competent to dispose of the application. Absence of rul makes it incumbent on Government to merely forward them to the authority concerned. The interests of neither Government nor the parties are served by such actio Under the Government of India Rules, petitions addressed to His Majesty the King Emperor or to the Secretary of Stat or to the Governor General in Council have to be forwarded through the local Government who have the power either to

withhold them or to forward them with their opinion.

The Third Member is of opinion and I agree with him, that it is desirable to frame and publish definite rules on the subject.

If His Highness considers that a similar procedure may be adopted here, a set of rules on the model of those of Government of India will be prepared and submitted for His Highness' gracious consideration.

Points 1 and 2 raised in the Chief Secretary's note dated 6th April 1929 are fully dealt with in the linked file (Revision of rules for conduct of public servants). After these rules are approved & published, the promise given on Mr. Gundappa's motion in the Legislative Council will also have been fulfilled. It will be observed that the President only said 'If the rules are not sufficiently clear we shall make them clearer.' Regarding point 3, memorials by private persons to His Highness, this is a subject that has not been adverted to in the Legislative Council. I am respectfully of opinion that the rules on the analogy of those in British India are not called for here. They may be construed here as checks on the liberty of the subject to approach his Sovereign direct whenever he feels, he has a grievance that in his opinion can only be redressed by an appeal to His Highness and it is desirable to avoid giving room to this impression. If this view is accepted no D.S.N. is necessary and this file may be closed.

App. to VI. Gl.]

SUBJECT.....

.....

.....

Section C.S.

File No.

Serial No.

No. 2 Kls

Diary No. of letter replied to.....

To

The Superintendent,
Government Press
Madras.

General and Revenue Secretariat
( )
the 192

Date of issue 28/Aug/25

Signed by.....

Sir,

Please send by V. P. parcel a copy of the Rules for the Conduct of Government Servants in Madras Presidency, with amendments if any.

I have etc

Chief Secy. to Govt.

List of enclosures.....

Copied by Inc 2-9-25

Examined by.....

sent ✓ Copy to O-B

over

WD 01265—GPB—31,000—24-12-25

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to——————

General and Revenue Secretariat
(ISSUED)
, the *191* .

Date of issue 31/10/24

Signed by Sri N. Ratnam

Section

File No.

Serial No.

No. 2198/C.B

To

The Superintendent,
Govt. Press, Madras.

Sir,

Kindly send by V.P. parcel a copy of the Rules relating to the submission of Memorials to the Govt. of India and the Secretary of State for India.

I have etc.

Chief Secy to Govt

over.

31/10

Sent — Copy to D.B

19

Publication DEPARTMENT.

In reply, please quote number, date and short title.*

C.P. 1753

Received *Registered*

2 NOV. 1928

From (Name) A.G. Green, Esquire,

(Designation) Ag. Superintendent, Government Press,

Post Box ....., (Station) Mount Road, Madras.

Telegraphic Address .....

To The Chief Secretary to the Government of His Highness the Maharajah of Mysore,
General and Revenue Secretariat,
Camp Mysore.

No. 911/D.B., *dated* 1 - 11 - 1928.

Sir,

* Ref:- Your letter No.2145 dated 27/28-10-'28.

Enclosures .....

.....

.....

Spare Copies .....

As the Rules for the conduct of Government Servants in Madras Presidency is not a priced publication, and is meant for official use only, sanction of the Government is necessary for supply of a

CB 1839/28

C.F. 32(a)

In reply, please quote number, date and short title.*

Publication DEPARTMENT.

Received *Registered*

From (Name) A.G. Green, Esquire,

(Designation) Ag. Superintendent, Government Press,

Post Box ....., (Station) Mount Road, M a d r a s.

Telegraphic Address .....

To The Chief Secretary to the Government of His Highness the Maharajah of Mysore,

General and Revenue Secretariat, Mysore.

CHIEF SECRETARY, 8 NOV. 1928

No. 953/D.B., *dated* 6th Novr. 192 8.

Sir,

Ref:- Your letter No.2198/C.B. dated 31st October 1928.

The Memorial Rules asked for, are not available copies having run out of stock.

For Superintendent.

ENCLOSURES .....

ARE COPIES .....

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Section C&S

File No.

Seria No.

Diary No. of letter replied to.....

No. pol. 577

General and Revenue Secretariat

( )

the *192*

To The Secretary to the
Hon'ble the Resident
in Mysore

Date of issue 15-11-1926

Sir

Signed by Jas. N. Sadhasiva Rao

I am directed to request you to be so good as to obtain for reference of this Govt, a copy each of the undermentioned publications if there be no objection :—

List of enclosures.....

(1) Rules and orders of the Govt. of Madras for the Conduct of Govt. Servants &c.

(2). Similar Rules of the Madras and Bombay Governments.

(3) Rules for the submiss

over

Copied by 14/11/26

Examined by.....

WD 0562—GPB—31,000—17-8-25

of memorials to the Governor General and the Secretary of State, (~~by Govt. Servants as well as the public~~) Subject to approval of Govt

To ..... have etc

Chief Secs to Govt

219.4

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 1352 Enc. 3
238-1928.

GEN. & REV. SECTT. BR. 10 DEC. 1928 G. D. SECTION.

GENERAL MISCELLANEOUS BRANCH 11 DEC 1928 4565

From

A. C. Lothian, Esquire, I.C.S.,

SECRETARY TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Dated Bangalore, 9th Decr. *1928*.

Subject.

Government Servants' Conduct Rules.

Sir,

With reference to your letter No. Pol.577, dated the 15th November, 1928, I am directed to forward a copy each of the instructions for the submission of memorials to the Governor General and the Secretary of State.

Notifications Nos. F.472-II-2/23 and F.472-II-1-23, dated the 21st June, 1924.

2. As regards copies of the Government Servants' Conduct Rules issued by the Government of India and similar Rules of the Madras and Bombay Governments, if any, the Manager, Government of India, Central Publication Branch, and the respective Governments have been addressed.

I have the honour to be,

Sir,

Your most obedient servant,

A C Lothian

SECRETARY TO THE RESIDENT.

Received with Resy. letter 11352 d. 9.12.28
738-28

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 21st June, 1924.

No. F.-472-II-1-23.—The following instructions r the submission, receipt and transmission of emorials and other papers of the same class to is Majesty the King, Emperor of India, or to the ight Honourable the Secretary of State for India Council are published for general information supersession of the instructions published with ıe Home Department notification No. 536, dated ıe 30th June 1916, as amended by subsequent otifications.

NSTRUCTIONS REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS OF THE SAME CLASS TO HIS MAJESTY THE KING, EMPEROR OF INDIA, OR TO THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL.

N.B.—These instructions (do not in any way affect or ıpersede orders issued on the same subject by the military ıthorities for the guidance of the Army and) do not apply to ıe cases covered by the appeal rules published by the Secre- ry of State in Council under Section 96-B (2) of the Govern- ent of India Act.

I.—Every memorial to His Majesty or to the ecretary of State for India in Council should ontain all material statements and arguments elied upon by the memorialist and be complete ı itself; and it should be accompanied by a letter equesting its transmission to the authority to hich it is addressed.

II.—Every memorial to His Majesty or to the ecretary of State for India in Council should be resented through the Local Government having ırisdiction in respect of the subject-matter of the ıemorial. In cases where no Local Government ; in a position to deal with the subject-matter of he memorial, it should be presented through the ıocal Government within whose jurisdiction the ıemorialist is or has last been residing or employ- d or, if there is no Local Government answering o these descriptions, then through the Governor- ieneral in Council.

The Railway Department is regarded as the ıocal Government in respect of memorials from ersons subordinate to it.

III.—Every memorial to His Majesty or to the ecretary of State for India in Council presented hrough the Government of Madras, Bombay or Bengal should be forwarded direct by the Local Government with a full statement of facts and an xpression of opinion, except in the case of a ıemorial which—

(*a*) relates to—

(*i*) any rule or standing order of the Governor-General in Council; or

(*ii*) any Legislative Proceedings of the Governor-General in Council or an Act to which the Governor-General has assented; or

(*iii*) a case which has been previously under the consideration of the Governor-General in Council; or

(*b*) if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible; or

(*c*) contains a prayer for the exercise of the Royal prerogative of pardon.

Every such memorial should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the proper department for transmission to the Secretary of State for India in Council.

Note.—If the memorial contains an application for the suspension or remission of a sentence under Chapter XXIX of the Code of Criminal Procedure, 1898 (Act V of 1898), which the local Government is not competent to dispose of on its own responsibility under the orders contained in rule VI in paragraph 1 of the Home Department letter No. 1126-37, dated the 10th September 1915, it should be transmitted to the Governor-General in Council and not to the Secretary of State in Council direct.

IV.—Every memorial to His Majesty or to the Secretary of State for India in Council presented through a Local Government, other than the Government of Madras, Bombay or Bengal, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion, to the Government of India in the proper department for transmission to the authority addressed. A memorial submitted by a private person will not ordinarily be forwarded to His Majesty or to the Secretary of State for India in Council unless a petition on the same subject has already been received and rejected by the Governor-General in Council.

V.—Every memorial to His Majesty or to the Secretary of State for India in Council from a person who has been employed in the Army should, if it relates to any matter arising out of his service in the Army, be forwarded through the Army, Divisional or Independent Brigade Commander under whose jurisdiction the memorialist has served and who, from his knowledge of the memorialist or of the particulars of the case, is in a position to make the necessary recommendations. The Army, Divisional or Independent Brigade Commander will forward it with a full statement of facts and an expression of his opinion to the Government of India in the Army Department for transmission to the authority addressed.

VI.—A memorial may be transmitted either in manuscript or in print but must, with all accompanying documents, be properly authenticated by the signature of the memorialist, and must conclude with a specific prayer.

VII.—Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist.

N.B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.

VIII.—Memorials should be forwarded in duplicate. The originals will invariably be transmitted to England, a copy being retained by the Government of India, if necessary, for record.

IX.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after the receipt of the memorial.

X.—The Governments in India are vested with discretionary power to withhold the transmission of memorials addressed to His Majesty or to the Secretary of State for India in Council in the following cases:—

(1) When a memorial is illegible or unintelligible, or contains disrespectful or improper language.

(2) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which afford grounds for a reconsideration of the case. A memorial addressed to His Majesty by a person whose appeal to the Secretary of State for India in Council has already been rejected, shall be held to be a second memorial to the same authority, and shall not be transmitted.

(3) When a memorial is a mere application for relief, pecuniary or other, which is presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character, or is so belated that its consideration is clearly impossible.

(4) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.

(5) When a memorial is a mere appeal from a judicial decision.

Note.—If the memorial is practically an application for the suspension or remission of a sentence under Chapter XXIX of the Code of Criminal Procedure, 1898 (Act V of 1898), or contains such an application, it must be transmitted unless it falls under rule XI, or unless the case is one of which the local Government or the Governor-General in Council are competent to dispose on their own responsibility under the orders contained in the Home Department letter No. 1126-37, dated the 10th September 1915.

(6) When a memorial is a representation against a decision, which, by any law or rule having the force of law is declared to be final.

(7) When a memorial is addressed by an officer still in the public service and has reference to his prospective claim to pension.

(8) When a memorial is merely a representation against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule.

(9) When a memorial is a representation against the action of a private individual or of a body of private individuals regarding the private relations of the memorialist and such individual or body.

(10) When a memorial is a representation against the application of the Civil Service Regulations or the Fundamental Rules or rules framed by the Secretary of State in Council under section 96-B (2) of the Government of India Act or against the order of a local Government or of the Governor-General in Council refusing to grant or to recommend a special pension or any pecuniary or other concession not claimable under any law or rule, or a compassionate pension.

Provided that a representation of the nature described in the first part of this clause which calls into question the correctness of the interpretation placed by any authority other than the Secretary of State in Council on any rule framed or approved by the Secretary of State in Council shall be forwarded to the Governor-General in Council, and shall not be liable to be withheld under this clause by the Governor-General in Council if in his opinion there is a reasonable doubt as to the correctness of the interpretation in question.

(11) When a memorial makes a proposal regarding legislation which a local Government or the Governor-General in Council are not prepared to support.

(12) When a memorial is a representation preferred more than six months after the date on which the memorialist was informed of the orders to which he objects provided that a local Government or the Governor-General in Council may, at their discretion, extend the period to twelve months, if the delay will facilitate a settlement of the dispute or other good cause is shown.

(13) When the petition is a representation against an order from which under the appeal rules published by the Secretary of State in Council under section 96-B (2) of the Government of India Act, no appeal lies.

Provided that, subject to what is said in clauses (1), (2) and (4) no appeal to the Secretary of State for India in Council by an officer appointed by him, irrespective of the rate of pay drawn, shall be withheld when the appeal involves a question of the interpretation of the terms of the officer's engagement.

XI.—The Governor-General in Council may withhold the transmission of a memorial to His Majesty or to the Secretary of State for India in Council, if the memorialist has not previously memorialised the Governor-General in Council and the local Government concerned on the same subject; provided that when a memorial contains a prayer for the exercise of the Royal prerogative of pardon and is addressed to His Majesty, it must be transmitted to the Secretary of State for India in Council, unless His Excellency the Viceroy thinks fit to grant the prayer in virtue of his authority to exercise this prerogative on His Majesty's behalf, or unless the memorial is from a convict under sentence of death in which case, it may be dealt with in the same way as a memorial falling under the provisions of the note to rule X (5).

The Government of Madras, Bombay or Bengal may withhold the transmission of a memorial which under rule IV they are authorised to forward direct, if the memorialist has not previously memorialised the local Government concerned on the same subject.

XII.—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.

XIII.—A list of memorials withheld under the discretionary power conferred by rules X and XI with the reasons for withholding them, will be forwarded quarterly to the Government of India in the case of memorials withheld by local Governments, and by Government of India in the Department concerned to the Secretary of State for India in Council.

Sd. H. TONKINSON,

Joint Secretary to the Government of India.

E. P. B.—8-10-1924.—25.

Received with Resy. letter 11552 dt. 238-24

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

Simla, the 21st June, 1924.

No. F.-472 II-2/23.—The following instructions regarding the submission of petitions to the Government of India are published for general information in supersession of the rules published with the Home Department notification No. 534, dated the 30th June 1916.

INSTRUCTIONS REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNOR-GENERAL IN COUNCIL.

GENERAL EXPLANATIONS.

1. In these instructions the words "local Government" include a local Administration, and the Commander-in-Chief in India, and also, as regards petitioners whose salary is Rs. 50 a month or less the head of a department directly under the Government of India, and Army, Divisional and Independent Brigade Commanders.

2. These instructions do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated the 1st June 1888, applies.

3. These instructions apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor-General in Council.

4. These instructions apply also to petitions by persons no longer in military employ who have served in the Army, or the Royal Indian Marine, or have been attached to regiments or batteries or the Staff or departments of the Army in any capacity.

5. These instructions do not apply to the cases covered by the rules regulating appeals issued by the Secretary of State under section 96-B (2) of the Government of India Act.

SECTION I.

As to the submission of petitions to the Governor-General in Council by private persons or public bodies.

1. Every petition to the Governor-General in Council should be forwarded through the local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no local Government is in a position to deal with the subject-matter of the petition, it should be forwarded through the local Government within whose jurisdiction the petitioner is or has last been residing or employed.

The Railway Department is regarded as the local Government in respect of memorials from persons subordinate to it.

2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and it must conclude with a specific prayer.

3. Every petition should be accompanied by a letter addressed to the local Government requesting its transmission to the Governor-General in Council, and, when any order of a local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities.

4. Communications on matters connected with any bills before the Indian Legislature may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials or public bodies should be sent through the local Government.

SECTION II.

*As to the submission of petitions by officers in civil employ.**

5. Every officer in civil employ wishing to petition the Governor-General in Council should do so separately:

Provided that nothing in this instruction shall apply to representation submitted by recognized associations of Government Service in accordance with such rules as may from time to time be prescribed by the Governor-General in Council.

6. Every petition from an officer in civil employ should be submitted through the head of the office or department to which the petitioner belongs or belonged, and should be forwarded by him through the usual official channel.

7. No officer in civil employ may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.

8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer in civil employ unless it is submitted by the officer himself.

SECTION III.

As to the transmission or withholding of petitions by local Governments.

9. Every petition to the Governor-General in Council should be forwarded by the local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.

10. When the petition is not in English, the local Government should transmit a translation with it.

11. Local Governments are vested with discretionary power to withhold petitions addressed to the Governor-General in Council in the following cases:—

(1) When a petition is illegible or unintelligible, or contains language which, in the opinion of the local Government, is disloyal, disrespectful or improper.

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* *Note* (1).—The term "civil employ" includes employment by a local authority.

Note (2).—For the purposes of the instructions in this section a petitioner is considered to be an "officer in civil employ", if he has been previously in civil employ and if his petition relates to any matter connected with his position while in such employ or the circumstances in which he left it.

(2) When a previous petition has been disposed of by the Secretary of State for India in Council or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

(3) When a petition is a mere application for relief, pecuniary or other, which is presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character, or is so belated that its consideration is clearly impossible.

(4) When a petition is an application for employment from a person not in the service of Government: or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.

(5) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.

Note.—In the following cases, namely :—

(a) when a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or

(b) when a petition is an appeal from a judicial decision in a suit to which the Government was a party, or

(c) when a petition is practically a prayer for mercy or pardon, or contains such a prayer,

the petition must be transmitted to the Governor-General in Council unless it falls under clause (12) of this rule, or unless it is a petition of the kind referred to in clause (c) and the case is one of which the local Government is competent to dispose on its own responsibility under the orders contained in the Home Department letter No. 1126—1137, dated the 10th September 1915.

(6) When a petition is a representation against the application of the Civil Service Regulations or the Fundamental Rules or rules framed by the Secretary of State in Council under section 96-B (2) of the Government of India Act, or against the order of a local Government refusing to grant or to recommend a special pension or any pecuniary or other concession not claimable under any law or rule, or a compassionate pension.

Provided that a representation of the nature described in the first part of this clause which calls into question the correctness of the interpretation placed by any authority other than the Secretary of State in Council on any rule framed or approved by the Secretary of State in Council shall be forwarded to the Governor-General in Council, and shall not be liable to be withheld under this clause by the Governor in Council if in his opinion there is a reasonable doubt as to the correctness of the interpretation in question.

(7) When a petition is an appeal against a decision which by any law or rule having the force of law is declared to be final.

(8) When a petition is addressed by an officer still in the public service and has reference to his prospective claim for pension, except as provided in article 915 of the Civil Service Regulations.

(9) When a petition is a representation against the non-exercise by the local Government of a discretion vested in it by law or rule.

(10) When a petition is an application in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for making the application has been exceeded.

(11) When a petition is a representation against an order or decision of the local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.

(12) When a petition relates to a subject on which the local Government is competent to pass orders and no previous application for redress has been made to the local Government.

(13) When a petition makes a proposal regarding legislation which the local Government is not prepared to support.

(14) When the petition refers to matters in which the petitioner has not a direct personal interest, unless it is a petition of the kind described in the note to clause (5).

(15) When the petition is a representation against an order against which under the appeal rules published by the Secretary of State in Council under section 96-B (2) of the Government of India Act, no appeal lies.

12. If a petition is withheld, the petitioner should be informed of the fact and the reason for it.

13. A list of petitions withheld under rule 11, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the proper Department.

Sd. H. TONKINSON,
Joint Secretary to the Government of India.

R. P. B.—3-10-1924.—25.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 228 ENCLOS. Dated Bangalore, 8 Jany., 1929.

copy

FROM

25326 EB 2593

A. C. Lothian, Esquire, I.C.S.,
SECRETARY TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Subject:—

GOVERNMENT SERVANTS' CONDUCT RULES.

SIR,

With reference to paragraph 2 of my letter No.11352, dated the 9th December, 1928, I am directed to forward a copy of the Madras Government Servants' Conduct Rules corrected up to the 1st September, 1926, with a set of correction slips.

I have the honour to be,
Sir,
Your most obedient servant,

Captain.
for SECRETARY TO THE RESIDENT.

GEN. & REV. SECTT. BR. EB 10. JAN. 1929 G. D. SECTION.

Pol. 839

ASB

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

No Pol. 724 /C.B. Date 17th Jany 2

To

The Secy to the

Resident

Sir,

I am directed to acknowledge with thanks the receipt of the copy of the Madras Govt Servants Conduct Rules, with a set of Correction Slips, kindly sent with your letter No 228 of the 8th inst.

I have etc

Chief Sec

WD 2280—GRB—1,00,000—23-7-20

Confd 30/12/20 17/1/21

21

[R.O. 106.]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

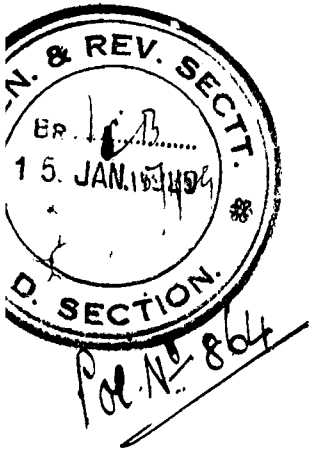
OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 18th January, 1929.

No. 489 Enclos./.

238-1928

CB 2664



A copy of the marginally* noted letter, ~~with enclosure~~, is forwarded with compliments, to the Chief Secretary to the Government of H. H. the Maharaja of Mysore, for information, in continuation of this Residency letter No. 228, dated the 8th January, 1929.

*No. S. 49(6)/D., dated the 3rd January, 1929, from the Chief Secretary to the Government of Bombay.

Captain.
for *Secretary to the Resident.*

531—15-9-1927—5,000—RPB.

Letter No.S.49(6)/D, dated the 3rd January, 1929,
from the Chief Secretary to the Government of Bombay, Genl.Dep
to the Hon'ble the Resident in Mysore, Bangalore.

GOVERNMENT SERVANTS' CONDUCT RULES - SUPPLY
OF A COPY OF -

In reply to your letter No.11432/238-1928, dated the 11th December, 1928, asking for a copy of the Rules and orders regulating the Conduct of Government Servants, I am directed by the Governor in Council to say that Local - - Government have not so far formulated their own rules but apply the Government Servants' Conduct Rules issued by the Government of India. A copy of these rules can be had on payment of the cost from the Manager, Government of India, Central Publication Branch, 8, Hastings Street, Calcutta. I am to add that a separate set of the Rules and Regulations for Government Servants in the Bombay Presidency is in - - course of preparation.

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" C O P Y "

Captain.
REGISTRAR, RESIDENT'S OFFICE.

ASB

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 1114 ENCLOS. Dated Bangalore, 1/81
238-1928 one book and 8 slips

C.B. 287

FROM A. C. Lothian, Esquire, I.C.S.,

SECRETARY TO THE RESIDENT IN MYSORE.

28109

To

The Chief Secretary to the Government of His Highness the Maharaja of Mysore.

Subject:—

GOVERNMENT SERVANTS' CONDUCT RULES.

CB 1/2/29

SIR,

In continuation of this Residency endorsement No. 489, dated the 18th January, 1929, I am directed to forward a copy of the Government Servants' Conduct Rules issued by the Government of India, with a set of corrections to Rules, 3,10,23 and 25.

I have the honour to be,
Sir,
Your most obedient servant,

Captain.
for SECRETARY TO THE RESIDENT

GEN. & REV. SECTT. BR. 1 FEB. 1929 G. D. SECTION.

Pol. 95

wh.

[R.C. ...]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 8th March 1929.

No. 22 20 Encls. 1.

C.B. 3315.

32025

A copy of the marginally* noted Notification is forwarded with compliments, to the Chief Secretary to the Government of H. H. the Maharaja of Mysore in comtinuation of this Resi endorsement No.6181, dated the 28th 1928.

*No.F.46/27, dated the 24th January, 1929, by the Government of India, Home Department.

for *Secretary to the Resident*

531—15-9-1927—5,000—RPB.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

New Delhi, the 24th January 1929.

No. F.-46/27.—The following resolution by the Secretary of State in Council making amendments to the Government Servants' Conduct Rules is published for general information:—

In exercise of the powers conferred by section 96B (2) of the Government of India Act, the Secretary of State in Council, with the concurrence of the majority of votes at a meeting of the Council of India held this 13th day of November 1928, hereby makes the following amendments to the Government Servants' Conduct Rules, namely:—

I. For rule 1 (*a*) of the said rules the following shall be substituted, namely:—

"1.—(*a*) Government servant means any person in the civil service of the Crown in India, whether for the time being on foreign service or not."

II. For rule 20 of the said rules the following shall be substituted, namely:—

"20.—(1) No Government servant shall, in any document published under his own name or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing—

"(*a*) the relations between Government and the people of India or any section thereof, or

"(*b*) the relations between His Majesty's Government or the Governor-General in Council and any foreign country or the ruler of any State in India.

(2) A Government servant who intends to publish any document under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by sub-rule (1) may arise shall submit to the Government under which he is serving a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver, and shall not publish the document or deliver the utterance save with the sanction of the Government under which he is serving and with such alterations, if any, as the Government may direct."

III. In rule 23 the following amendment shall be made, namely:—

(*a*) In sub-rule (2) of rule 23 after the words "legislative body" the words "whether in India or elsewhere" shall be inserted.

(*b*) After sub-rule (2), the following sub-rule shall be inserted, namely:—

"(3) A Government servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed, for the purposes of sub-rule (2), to take part in an election to such body."

(*c*) Sub-rule (3) shall be renumbered [illegible] in that sub-rule as so renumbered, for th[illegible] and figure "sub-rule (2)" the words and "sub-rules (2) and (3)" shall be substitu[illegible]

J. A. SHILLIDY,
Offg. Joint Secy. to the Govt. of India.

No. F.-46/27-Public.

A copy (with a copy of the Despatches *) is forwarded to all Departments including the Financial Adviser, Military Finance, and the Central Board of Revenue, the Registrar,† High Court, Calcutta, the Chief Commissioner of Andaman and Nicobar Islands, the Secretary, Public Service Commission, the Director of Public Information, the Director, Intelligence Bureau, the Private Secretary to Viceroy and Military Secretary to Viceroy for information. It should be understood that the Government Servants' Conduct Rules do not apply to those holding menial offices.

2. Copies of amendment slip relating to rules 1(*a*), 20 and 23 of the Government Servants' Conduct Rules required for distribution should be obtained direct from the Manager, Central Publication Branch, 8, Hastings Street, Calcutta, who has been instructed to comply with requisitions for copies. Such requisitions should reach the Manager not later than the 10th March 1929.

To Departments and P. S. V. and M. S. V.

* Despatch to the Secretary of State, No. 3-Public, dated the 27th September 1928.

Despatch from the Secretary of State, No. 47-Services, dated the 15th November 1928, and enclosures.

† By letter.

By order,

K. R. MENON,
Under Secy. to the Govt. of India.

G.I.P.D.—521 H.D.—28.1.29—1,820.

Mr. D.H.CHANDRASEKHARAIYA.- I beg to withdraw the resolution.

RESOLUTION NO. 13.

Mr. D.V. GUNDAPPA.-Sir, I beg to move the following resolution:

"That this Council recommends to the Government of His Highness the Maharaja that they be pleased to frame and publish suitable xuhan instructions, in clear and precise terms, regarding the form and the manner in which subjects of His Highness the Maharaja who happen to be in Government service may submit memorials to His Highness on matters connected with public welfare in which they may be interested as citizens, but which are not directly connected with their official position and prospects."

My object in moving this resolution is to bring for the sympathetic consideration of Government the hardships felt by a large class of His Highness' subjects. Government servants, it may be suggested without exaggeration form a considerable part of our educated public. And while they are Government servants they do not cease to be citizens; but their rights of citizenship, however, had become subjected, as very rightly and very naturally, to certain restrictions arising out of their taking up of employment under Government. The relations of Government and Government servants are, (it is doubtful according to lawyers whether they are) of the nature of contracts. It is not necessary for my purpose to discuss that question. They have entered service and they have done so subject to all the restrictions which Government very naturally impose upon them. How then are they to exercise this right of petition? It has not been denied that they have this righ

but that right becomes operatable subject to certain conditions which Government may very well impose. Government servants have also the right to memorilaise their own employers, viz., the Government. Even in this regard there have been rules framed. In the rules published by a Government Order dated 19-7-1915, memorials to Government in respect of official grievances of Government servants have been contemplated. But those rules do not contemplate memorials to His Highness the Maharaja and memorials which relate to matters other than the official grievances of a public servant. Therefore, sir, I think that it is necessary to provide rules in regard to the exercise of this very important right of citizenship.

I am not asking merely for the provisio of rules for the exercise of a merely theoretical or abstract right. It is conceivable that practical cases might arise when it might become necessary for Government servants to exercise this private right of citizenship. I shall not allued to instances. Some instances, we all know; they are of recent occurrence. But it is not necessary that I should go into their details. Since the right is admitted and it is also admitted on all sides that that right should be subject to certain limitations, I only beg that these limitation might be defined. They are, as I submitted already, a very considerable section of our educated public and I think it is only fair that they should be made to know where they stand constitutionally. The Government of

India have framed rules for a similar purpose, viz., memorials addressed to His Majesty the Kind Emperor. All these rules are found published in the Gazette of India dated 27th October 1928. I am not suggesting that these rules should be or should not be used as a model. I simply instance it as a point.

Since this is an important matter, I request Government may be pleased to consider the matter sympathetically.

Mr. B. NAGAPPA (Legal Remembrancer to Government).-The Government of India have not laid down any principle in regard to this matter. They have prescribed only the procedure.

Mr. D.V. GUNDAPPA.-Yes, they deal with the procedure to be employed, the language, the subject and the channel through which the memorial could be submitted. It is only about the exercise of this right, I want certain procedure to be laid down here also.

Mr. PRESIDENT.-The only point here is this: whether a Government servant may come into conflict with Government and make serious allegations against Government, or not. For instance, suppose there is an epidemic raging and if he wants to approach His Highness as a pure citizen regarding this it is all right; but it is a different matter if he goes and says that Government are not helping in this, and they are poisoning etc. I use this metaphorically. That is

an

an allegation which unless they can sustain, they will have to pay the ~~xxxx~~ whole penalty for.

Mr. D.V. GUNDAPPA.-The cause for the exercise of such right can arise only very occasionally. Even the right of petitioning Government ~~xxxxx~~ is exercised only occasionally. But ~~xx~~ emergencies, when they do arise have an unhappy way of ~~arriving~~ arising without giving any notice to those concerned; they take us unawares, come upon us all of a sudden and in an impluse, the Government servant may do ~~xxxxxxx~~ something and get into hot waters. So, if he knew where he exactly stands, it will be a safety to him.

Mr. C.S. BALASUNDARAM IYER (Second Member of Council).-He knows how to get out of it

Mr. D.V. GUNDAPPA.-But he sometimes goes too deep unfortunately. I do not question the rules enpunciated from Government side. I only want that this point may be embodied in the form of a rule.

Mr. C.S. BALASUNDARAM IYER.-It is so well understood that it is not necessary to embody it as a rule.

Mr. D.V. GUNDAPPA.-If it is so very elementary and so very well known, there will be no case arising under that category. People have acted in <u>bona fide</u> sincere ~~xxxxx~~ ignorance and they have been penalised. With due deference, I may say that the presen rules are ambiguous.

Mr. C.S. BALASUNDARAM IYER.-It does not depend on a particular rule.

Mr. D.V. GUNDAPPA. I must say it in a philosophical view "It is obvious to me but it is not obvious to him." My point is that the rules may be placed beyond this region of dubious suspense.

I have not come here for any unnecessar controversy or sensation.

Mr. PRESIDENT.-We shall make the rule clearer; there is no harm in doing it.

Mr. D.V. GUNDAPPA.-That is all my objec sir.

Mr. PRESIDENT.-Who seconds the motion?

Mr. T. SRINIVASACHAR.-Sir, I second the resolution.

I was not prepared to speak on this subject. Mr. Gundappa has placed the matter so far as I can see explicitly before the Government that the rules, as they are, are not quite definite. I am not quite aware of all the rules that are at present in vogue on this subject. Whatever may be the rules, I am aware that certain Government servants have recently become victims to the rules.

Mr. D.S. MALLAPPA. - I think if there is a definite rule in the matter, there will be no misapprehension.

Mr. PRESIDENT.-If the rules are not sufficiently clear, we shall make them more clear.

The resolution was accepted.